儿童网络保护全球状况与中国对策的思考

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摘　要：

[目的/意义] 随着全球数字化程度的不断加深，儿童在使用网络时面临着一定风险，包括遭遇网络欺凌与骚扰、过度使用网络、接触暴力内容，以及遭受色情短信、性引诱和性勒索等侵扰。

[方法/过程] 旨在为全球和各国关于儿童网络保护的讨论作出贡献。聚焦最为严峻的网络威胁之一，即网络儿童性剥削和性侵问题，重点介绍全球最新趋势，以及近10年来各国开展网络防范和应对工作的经验和做法。同时，介绍了中国在儿童网络保护领域的最新进展。

[结果/结论] 基于现有进展和证据，就解决中国儿童网络性剥削和性侵问题的战略方向，提出了一些发展思考。

关键词：儿童网络保护；网络欺凌；性剥削；网络防范；治理对策

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The global situation of child online protection and China's countermeasures

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Abstract:

[Purpose/Significance] With the increasing digitalization of the world today, children face certain risks when using the Internet, including bullying, harassment, overuse of the Internet, exposure to violent content, as well as sexting, grooming and sexual extortion.

[Method/Process] The paper focuses on one of the most severe Internet threats – child sexual exploitation and abuse online – and highlights the recent global trends and the progress achieved globally in terms of prevention and response in the last decade. It then zooms in on China, the country with the largest number of child Internet users, providing an overview of recent developments on child online protection.

[Results/Conclusion] Based on existing progress and evidence, the paper offers some reflections on strategic directions to address online child online sexual exploitation and abuse in China.

Keywords: child online protection; cyber bullying; sexual exploitation; Internet prevention; governance countermeasures

0 引言

沿用联合国儿童基金会2021年发布的报告，对"性侵儿童行为"和"网络儿童性剥削和性侵行为"术语进行定义。

性侵儿童行为包括两方面内容。

一是与根据国家法律有关规定未满性同意年龄的儿童发生性行为（儿童间自愿发生性行为的除外）。

二是通过以下方式与儿童发生性行为的：实行胁迫、武力或威胁；（家庭内部成员）利用儿童的信任、自身权威或对儿童的影响力；滥用儿童所处的脆弱状态或处境，尤其是存在精神或身体残障、对他人有依赖的情况。

当第三方通过涉及儿童的性行为获得金钱利益时，这类性侵儿童行为便发展为性剥削儿童行为，其中包括对卖淫的儿童青少年进行性引诱和性剥削等不法行为。在欧洲委员会《保护儿童免遭性剥削和性虐待公约》中，还包括向儿童或他人提供或许诺金钱，或以酬金、款项或对价等形式作为儿童从事性行为的回报，无论实际是否取得了回报。

尽管这两个概念在某些情况下可以互换使用，性剥削儿童行为和性侵儿童行为的根本区别在于是否存在交换。

关于网络儿童性剥削和性侵行为，国际上尚无统一定义。在本文中，术语指部分或全部借助互联网或其他无线通信技术手段实施的儿童性剥削和性侵行为。在现实中，部分性侵儿童行为的触角已延伸至网络世界，例如将性侵行为拍照或录像/录音，上传至网络平台，无论是供个人使用或向他人传播，每一次浏览和/或分享此类制品，均构成对儿童权利的再次侵害[1]。

在全球范围内，有三分之一的互联网用户年龄在18岁以下[2]。互联网和数字世界为儿童提供了前所未有的教育和学习机会，儿童可以通过网络开展学习、社交和创造性活动。正如联合国《儿童权利委员会关于与数字环境有关的儿童权利的第25号一般性意见》[3]所强调，互联网在实现儿童权利方面具有巨大潜力。然而，访问数字网络平台也存在着一定风险，包括遭遇网络欺凌与骚扰、过度使用网络、接触暴力内容，以及遭受色情短信、性引诱和性勒索等侵扰。

网络安全概念可从多个维度进行阐述，本文将聚焦最突出的重大网络风险，借助数字网络平台开展性剥削和性侵行为以及相关的预防，并提出应对措施。

不法分子可以轻易地从任何地方接触到儿童，并向儿童发放和传播性侵儿童制品。同时，儿童也能自己制作与性相关的图像，这些私密图像最初或许仅在亲密伴侣之间分享。但是也有可能会未经本人同意被传播给他人[4]。

近年来，性侵儿童图像数量正以惊人的速度增长。2020年，总部设于美国的国家失踪与受剥削儿童保护中心（NCMEC），共收到2 170万份涉嫌借助技术手段实施儿童性剥削和性侵案件的报告，比2019年增加了28%；2019年的增幅更甚，高达2013年至2017年网络性侵儿童制品转介案件总量的700%[1]。

《2021年全球威胁评估报告》[5]指出，网络性剥削和性侵事件正以前所未有的规模和速度增长，具体形式日趋多样化，其中网络性引诱（占97%）、儿童自己制作内容（占77%）以及性侵儿童制品的分享和传播均呈上升趋势。这一上升趋势，与2019年新型冠状病毒病疫情期间儿童上网时间的延长存在关联密切，同时也与儿童自己制作的内容增加和受商业利润驱动从事相关侵害儿童行为的增加有关。

网络性侵造成的影响，甚至可与线下暴力相提并论，其中包括心理健康问题、未来遭受更多暴力或实施暴力行为的可能。线下和网络暴力的关联也不容忽视，因为遭遇了网络暴力的儿童，通常在现实世界中也遭受过暴力[4]。在这些事实面前，各国亟需加快采取网络安全治理行动。

1 全球工作现状

网络和线下性侵儿童与剥削日益猖獗，且存在着多种形式[6]。不法分子使用的平台和渠道日趋多样和复杂，有待专家和互联网服务提供商进一步开发适用于侦查调查工作的创新解决方案。

但是，随着这一问题纳入全球议程并得到高度重视之时，各国技术创新成果也相继涌现，科技企业、政府部门和社会团体更加积极参与，更

多的实践经验得到了总结和提炼。为此，亟待加强各方协作，明确工作重点，加大资源共享，以推进对儿童保护事业的发展[7]。

"我们共同保护"全球联盟[8]致力于解决网络儿童性剥削和性侵问题，在推动全球行动和应对措施方面作出了贡献。这一联盟广泛地动员了各国政府、私营企业、社会团体和国际组织，以提升各方对网络性剥削和性侵问题的关注度，与此同时鼓励实施问责制，增强行动意愿，并制定了保护儿童免受网络性剥削和性侵的解决方案。

作为促进儿童权利的全球领导性组织——联合国儿童基金会携手合作伙伴，增强网络安全的社会、社区和家庭因素，借助数字平台防范和应对侵害和暴力案件的发生。联合国儿童基金会的主要战略目标之一，是通过为儿童成长和发展营造更加良好的环境，包括家庭、学校、社区和社会（包括数字平台），终结针对儿童的暴力行为[9]。

联合国儿童基金会儿童保护战略强调，儿童网络保护已成为一项重点工作，纳入了儿童保护体系工作的整体部署要求，因为这类侵犯儿童权利的现象并不是孤立存在[10]。联合国儿童基金会支持"我们共同保护"全球联盟的工作，并围绕着联盟的行动框架——"国家响应模式"在国家层面开展合作。这一框架包含6大领域行动，如图1所示。

"国家响应模式"对政府和其他利益相关方提出了明确的能力要求，这是有效落实综合应对举措的前提。

（1）政策与治理：领导；研究、分析和监测；立法。

（2）刑事司法：专职执法；司法和检察机关；违法犯罪人员管理流程；接入图像数据库。

（3）受害人：端到端的支持；儿童保护工作队伍；赔偿、救济和投诉制度。

（4）社会：儿童性剥削和性侵问题热线；教育计划；儿童参与；违法犯罪人员帮教系统。

（5）行业：违规内容处置流程；儿童性剥削和性侵报告；制定创新解决方案；企业社会责任。

（6）媒体和传播：遵守伦理规范和知情同意原则的媒体报道；通用术语。

一项有关42个国家的研究分析表明，"国家响应模式"为各国协同打击网络儿童性剥削和性侵提供了有效指导，并为实施项目或开展培训提供了有益借鉴[11]。

根据联合国儿童基金会2021年发布的一项报告显示，在终止网络儿童性剥削和性侵的全球项目实施5年后，联合国儿童基金会回顾了与合作伙伴在29个中低收入国家运用"国家响应模式"的进展情况[1]。

报告指出，在政策与治理架构、司法机关能力建设、报告和转介机制以及教育计划方面取得了重要进展。同时，报告也指出了各国在采取应对措施方面存在不足，包括立法欠缺和执法不力、儿童保护体系不完善、工作队伍能力有限、专业干部意识淡薄和缺乏紧迫感等。

上述两项研究分别从"我们共同保护"全球联盟和联合国儿童基金会的视角出发，就网络儿童性剥削和性侵问题提出了一致的战略发展方向：开展跨部门协作，综合应对施策；加强政府与私营部门合作，深化该领域国际合作；梳理实

政策与治理 上升至最高层面的国家意愿，就儿童性剥削和性侵问题提出防范和应对措施

刑事司法 切实做好儿童性剥削和性侵案件的调查、判决和罪犯管理工作

受害人 为儿童和年轻人提供支持服务

社会 预防儿童性剥削和性侵

行业 行业参与制定解决方案，防范和应对儿童性剥削和性侵问题

传播和媒体 提升公众、专业队伍和决策者的意识

图1 "我们共同保护"国家响应模式

证数据，提炼实践经验。此外，注重数字素养提升和促进儿童参与，也是联合国儿童基金会所强调的两大战略方向。

《全球威胁报告》[5]强调，应重点关注4个方面情况：

（1）在推进立法和制定条例时，应征求所有利益相关方的意见；

（2）加强执法能力建设，加大对警方和跨国调查专门机构的支持；

（3）提升透明度和网络安全技术，落实"设计保障安全"方法[12]；

（4）进行社会倡导，消除侵害儿童事件产生的根源和针对举报人的歧视，促进儿童青少年赋能。

2 中国的进展和面临的机遇

据有关资料显示，中国未成年网民规模达1.91亿，位居世界首位，互联网普及率高达96.8%。根据共青团中央和中国互联网络信息中心共同发布的2021年度报告显示，16.6%的6-17岁儿童曾在网上遭到过讽刺或谩骂，20.2%的未成年网民不知道如何维护自己的网络权益[13]。

中国是"我们共同保护"全球联盟的成员国，近年来中国政府在保护儿童网络安全方面，采取了多项立法和政策行动。2021年6月，新修订的《中华人民共和国未成年人保护法》正式施行，新增了"政府保护"和"网络保护"两个章节，旨在防范和应对各类风险，明确网络产品和服务提供者的具体义务[14]。

《中国儿童发展纲要（2021-2030年）》提出了预防和制止针对儿童一切形式的暴力、提升儿童工作队伍服务能力的目标，并强调了网络空间对儿童生活产生重要影响，应为儿童营造安全的网络环境。

2021年出台的《家庭教育促进法》明确提出，父母或其他监护人应为未成年人健康成长营造良好的家庭环境。帮助未成年子女提升数字素养也是父母的家庭教育责任[15]。

2022年，国家网信办起草的《未成年人网络保护条例（征求意见稿）》面向社会公开征求意见，及时反映了《中华人民共和国未成年人保护法》新增"网络保护"章节等最新修订进展。

此外，相关协调工作也在有序推进。中国网络社会组织联合会成立了"未成年人网络保护专业委员会"，旨在团结未成年人网络保护领域社会组织、企业和相关机构，保障未成年人网络空间安全，保护未成年人合法网络权益。在立法、治理和政策方面的变化，彰显了政府应对这一迫切问题的决心。表明了进一步加强预防和应对措施的时机已经成熟。

随着公众意识的逐步提高，这一问题日益受到社会的普遍关注[16]。信息通信技术企业，不仅作为网络产品和服务提供者发挥了重要作用，而且也在履行社会责任方面做出了积极的贡献。他们还搭建了先进的网络基础设施，提供了能力和技术支持，推动了解决方案的制定和落实。

在此背景下，更应把握当前机遇，深化重点领域工作。在应对网络儿童性剥削和性侵方面，各国面临着相似的挑战，例如亟待完善立法，将性引诱等行为入罪。正如其他国家一样，中国应认识到网络儿童性剥削和性侵问题的紧迫性，公众和有关机构更加广泛地关注沉迷网络及游戏、不良游戏和有害信息等问题，逐渐认识到网络欺凌和骚扰现象的存在[17]。

然而，目前社会对于网络儿童性剥削和性侵等风险的关注度尚不够。由于相关数据、研究和实证基础有限，各方尚未充分认识到网络儿童性剥削和性侵问题的紧迫性，难以及时采取举措应对相关风险和行为。为此，可从儿童视角出发的研究中汲取经验，采纳注重儿童福祉和儿童权利的综合研究方法。当然，持续促进公众意识提升也是一项重要任务，仍需广泛开展工作，加大对儿童网络安全风险和应对措施的宣传和教育力度。

3 对未来行动方向的建议

本文基于"国家响应模式"框架和全球未来行动方向，对未来的战略行动提出6点建议。

3.1 立法与治理

中国要在儿童网络保护立法方面取得重要进展，包括在加大对网络产品和服务提供者监管力

度的同时，仍需抓住机遇，解决网络儿童性剥削和性侵问题。

今后重点工作包括将性引诱、性侵儿童等行为入罪，修订完善刑事诉讼法，改进性侵儿童案件审理流程。相关术语和定义，应与国际公认定义保持一致。

3.2 刑事司法

相比于网络洗钱和网络诈骗等犯罪行为，网络儿童性剥削和性侵更容易被忽视[1]，因此建议提升上述问题的应对能力，包括加强国际技术经验交流[18]。

同时，应充分运用先进的信息通信技术，有效开展侦查调查工作。此外，提升司法机关工作人员对于儿童性剥削和性侵犯罪，特别是在网络平台发生的此类犯罪的认知程度，同样至关重要。

3.3 为受害人提供支持

应为网络及线下儿童性剥削和性侵的受害人提供专门支持。咨询服务和支持体系，应与现有儿童保护体系相衔接。"一站式"救助中心可快速采取有效应对措施，汇聚整合各项服务，避免对侵害事件的幸存者造成二次伤害[1]。

有关部门在各地推进"一站式"取证救助场所建设，为受害人提供综合救助，积累具备示范意义的经验。建议制定标准工作流程，加强人才队伍培训，推动"一站式"取证救助工作形成长效机制。应加强司法社工和儿童福利、健康、教育等领域社会工作者的能力建设，共同应对网络儿童性剥削和性侵问题。

3.4 社会倡议

应面向儿童青少年及其照料人、教师和公众开展宣传教育工作，提升公众对于网络及线下儿童性剥削和性侵的认知水平。应广泛持续地开展宣传教育活动，推动媒体和科技企业参与，并开展影响评估工作[19]。

在这方面，一些国家已将网络安全教育纳入国民教学体系，在数字素养课程以及健康关系、暴力和欺凌预防等主题线下课程中，增设网络安全信息模块[1]。同时，注重儿童参与，鼓励儿童为营造安全的网络空间贡献解决方案。媒体可通过典型案例、保护当事人隐私建议出解决方案，在引导社会舆论方面发挥更重要的作用。

3.5 行业

信息通信技术行业应建立违规内容处置流程机制，发现违法和不良信息时，应及时向有关主管部门报告，并注重跨部门协作。互联网企业面临着一大关键机遇，即制定基于新兴信息技术的解决方案，例如利用人工智能技术，发现和报告性剥削和性侵问题。

然而，正如Witting指出的[20]，技术不应仅作为一项权宜之策，应以儿童保护策略和儿童权利视角，在儿童保护权与隐私权之间取得平衡。因此，应面向技术开发人员开展儿童权利、儿童保护、网络性剥削和性侵方面的认知培训，以提高他们的认识。

此外，信息通信技术企业应确保技术和"设计保障安全"模式，遵循"儿童利益最大化"原则，注重倾听儿童的意见。

3.6 数据和研究

"国家响应模式"提倡开展现状分析和系统收集数据，以掌握相关工作进展。共青团中央每年发布的《全国未成年人互联网使用情况研究报告》，包含了对大量严谨详实数据的分析，并运用系统方法追踪各类风险的年度变化趋势。

建议在此基础上，纳入性引诱、性剥削和性侵等风险指标。各地可结合当地实际，调整运用联合国儿童基金会开发的"全球儿童在线"[21]和"终止伤害"[22]两项研究方法。此外，深化国际交流合作，分享研究发现和实践经验也是一大战略方向。

由于在上述领域蕴含着新的机遇、利益或需求，可以采取综合策略，全方位地推进各项工作，在社会倡议、行业参与和刑事司法等领域加快行动。

4 结束语

尽管数据表明，网络儿童性剥削和性侵问题日益凸显，具体形式更趋多样化，但是随着社会各界对这些问题的认识不断提高，行动意愿逐渐加强，解决方案日趋完善，使得这一不利形势有望得到扭转。"我们共同保护"全球联盟的"国家响应模式"是一个行之有效的工具，为制定实施国家层面的应对措施提供了指导。无论是政府部门、信息通信技术行业、社会组织，还是儿童的照料人或儿童自身，都应提高对这一问题的认识，共同携手落实应对措施。

中国作为未成年网民数最多的国家，尽管已经在不断推动有关机构和公众关注儿童网络保护议题进程，持续完善了打击网络不法行为的法律框架，但是在数据和研究方面还应开展更多工作。

此外，还应加大调查力度，完善应对举措，回应网络儿童性剥削和性侵方面的挑战。信息通信技术行业通过制定基于技术的解决方案，加强了网络儿童性剥削和性侵事件的发现和报告，并不断完善了行业条例，落实了问责制度，并发挥着日益重要的作用。

但是，应更加注重在儿童权利和儿童保护之间取得平衡。在推进数字素养提升方面，仍需广泛开展工作，推进制度化建设。中国与世界各国持续开展跨部门合作，将有助于推进网络儿童性剥削和性侵问题的防范和应对工作。

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The global situation of child online protection and China's countermeasures

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Abstract:

[Purpose/Significance] With the increasing digitalization of the world today, children face certain risks when using the Internet, including bullying, harassment, overuse of the Internet, exposure to violent content, as well as sexting, grooming and sexual extortion.
[Method/Process] The paper focuses on one of the most severe Internet threats – child sexual exploitation and abuse online – and highlights the recent global trends and the progress achieved globally in terms of prevention and response in the last decade. It then zooms in on China, the country with the largest number of child Internet users, providing an overview of recent developments on child online protection.
[Results/Conclusion] Based on existing progress and evidence, the paper offers some reflections on strategic directions to address online child online sexual exploitation and abuse in China.
Keywords: child online protection; cyber bullying; sexual exploitation; Internet prevention; governance countermeasures

0 Introduction

For this working paper, the author uses the following definitions extracted from the UNICEF (2021) publication referenced below:

*"**Child sexual abuse** includes: (a) Engaging in sexual activities with a child who, according to the relevant provisions of national law, has not reached the legal age for sexual activities (this does not apply to consensual sexual activities between minors), and (b) engaging in sexual activities with a child where use is made of coercion, force or threats; or abuse is made of a recognized position of trust, authority or influence over the child, including within the family; or abuse is made of a particularly vulnerable situation of the child, notably because of a mental or physical disability or a situation of dependence. Child sexual abuse becomes sexual exploitation when a second party benefits monetarily, through sexual activity involving a child. It includes harmful acts such as sexual solicitation and sexual exploitation of a child or adolescent in prostitution and, in the Council of Europe Convention, covers situations in which a child or other person is given or promised money or other form of remuneration, payment or consideration in return for the child engaging in sexual activity, even if the payment/remuneration is not made. Although the terms are sometimes used interchangeably, what distinguishes the concept of child sexual exploitation from child sexual abuse is the underlying notion of exchange."*

*"There is no internationally agreed definition of **online child sexual exploitation and abuse**. For the purposes of this document, the term is used … to refer to child sexual exploitation and abuse that is partly or entirely facilitated by technology, that is the Internet or other wireless communications. For example, child sexual abuse takes on an online dimension when, for instance, acts of sexual abuse are photographed or video/audio-recorded and then uploaded and made available online, whether for personal use or for*

sharing with others. Each repeated viewing and/or sharing of such recorded material constitutes a new violation of the rights of the child."[1]

Globally, 1 in 3 Internet users are below 18.[2] The Internet and the digital world have offered unprecedented educational and learning opportunities for children to learn, access information, connect with friends, and be creative. As highlighted by the recent Committee on the Rights of the Child's General Comment No. 25 on the rights of the child in relation to the digital environment,[3] the Internet has tremendous potential for the realization of children's rights. However, access to digital platforms also entails risks, including bullying, harassment, overuse of the Internet, exposure to violent content, as well as sexting, grooming and sexual extortion.

Although there are many dimensions of digital safety, this paper will focus on some of the most severe online risks - sexual exploitation and abuse through digital platforms - as well as on their prevention and response. Any abuser can easily contact a child from anywhere, and they can easily store and distribute images. Even children may self-generate images with sexual content that can be shared without consent, even if they are intended for a relationship.[4]

The proliferation of child sexual abuse images in recent years is dramatic. "In 2020, the National Centre for Missing and Exploited Children, headquartered in the United States, received 21.7 million reports of suspected technology-facilitated child sexual exploitation and abuse, which represents an increase of 28 per cent from 2019, which follows an even more drastic increase of 700 per cent in the number of industry referrals of child sex abuse materials online between 2013 and 2017."[5]

The Global Threat Assessment Report 2021[6] raised the alarm, pointing to the increase in online sexual exploitation and abuse at an unprecedented scale and rate, as well as to a diversification of harms, with increases in online grooming (97 per cent) and self-generated materials (77 per cent), and an increase in the sharing and distribution of child sexual abuse materials.

The rise in figures is linked to more time spent online during COVID-19, but also to an increase in self-generated materials and the commercial incentives linked to this form of abuse.

The impacts of online abuse can be compared to those of offline violence, which range from mental health issues and vulnerability to suffering more violence or becoming perpetrators in the future. The links

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[1] Extracts from UNICEF, 2021, Ending online child sexual exploitation and abuse: National responses and promising practices to address technology-facilitated sexual exploitation and abuse in low- and middle-income countries, UNICEF, New York, pp. 5-6, Ending Online Sexual Exploitation and Abuse .pdf (unicef.org), accessed on 4 August 2022.

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between online and offline violence are important, because children who are exposed to violence online may have experienced violence offline.[7]

It has never been more urgent to accelerate action given the alarming figures societies are facing world-wide.

1 Global progress

Child sexual exploitation and abuse online (and offline) have become more pervasive and have taken many forms. The complexity of the platforms and channels that abusers are using is increasing rapidly and experts and providers need to further develop innovative solutions to detect and investigate abuse and exploitation. There are, however, rays of hope as the issue has gained strength on the global agenda and we have more innovation in technology, more engagement of companies, governments and civil society, as well as more evidence on what works. Better coordination, enhanced prioritization and resources are still required to protect children.[8]

The WeProtect Global Alliance[9] has been one of the most important contributors internationally to shaping action and responses to this phenomenon. It has mobilized governments, the private sector, civil society and international organizations to raise the profile of online child online sexual exploitation and abuse. The Alliance has also encouraged accountability and commitment, and it has developed solutions to protect children from sexual exploitation and abuse online.[10]

The United Nations Children's Fund (UNICEF), one of the leading child rights organizations, works with partners to strengthen the social, community and family aspects of safe Internet use as well as to prevent and respond to cases of abuse and violence through digital platforms. One of UNICEF's main strategic goals is to end violence against girls and boys,[11] by strengthening the different settings and environments where a child develops and thrives, i.e., home, school, community and society (including on digital platforms). The UNICEF Child Protection strategy[12] highlights that child online protection has become an important priority and it places emphasis on working within child protection system's efforts, as the phenomenon does not happen in isolation.

UNICEF supports the WeProtect Global Alliance and shapes its cooperation in-country around the alliance's framework for action, the 'Model National Response (MNR),' which articulates action in six domains.

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[7] Protecting children online | UNICEF, accessed on 1 August 2022.

[8] WeProtect Alliance 2021, Global Threat Assessment Report, Global Threat Assessment 2021 - WeProtect Global Alliance, accessed on 4 August 2022.

[9] Who we are - WeProtect Global Alliance, accessed on 4 August 2022.

[10] The Alliance relaunched in 2020 as an independent organization and is the combination of two initiatives: The European Commission and US Department of Justice's Global Alliance Against Child Sexual Abuse Online; and WePROTECT, established by the UK Government as a global multi-stakeholder response to combating online child sexual abuse.

[11] UNICEF, 2022, Strategic Plan 2022-2025, https://www.unicef.org/reports/unicef-strategic-plan-2022-2025, accessed on 4 August 2022.

[12] UNICEF, 2021, Child Protection Strategy 2021-2030, NY. Child-Protection-Strategy-2021.pdf (unicef.org), accessed on 4 August 2022.

Figure 1: WePROTECT Model National Response

POLICY AND GOVERNANCE
Highest level national commitment to child sexual exploitation and abuse prevention and response

CRIMINAL JUSTICE
Effective and successful child sexual exploitation and abuse investigations, convictions and offender management

VICTIM
Appropriate support services for children and young people

SOCIETAL
Prevention of child sexual exploitation and abuse

INDUSTRY
Industry engaged in developing solutions to prevent and tackle child sexual exploitation and abuse

COMMUNICATION AND MEDIA
Awareness raised among the public, professionals and policymakers

Source: Quoted in United Nations Children's Fund (2021) Ending online child sexual exploitation and abuse: National responses and promising practices to address technology-facilitated sexual exploitation and abuse in low- and middle-income countries, UNICEF, New York, p. 5.

The MNR identifies the capabilities of governments and other stakeholders within the six domains. All of these contribute to an effective, comprehensive response.

1. Policy and governance: leadership; research, analysis, and monitoring; legislation
2. Criminal justice: dedicated law enforcement; judiciary and prosecutors; offender management process; access to image databases
3. Victim: end-to-end support; child protection workforce; compensation, remedies and complaints arrangements
4. Societal: child sexual exploitation and abuse hotline; education programme; child participation; offender support systems
5. Industry: takedown procedures; child sexual exploitation and abuse reporting; innovation solution development; Corporate Social Responsibility
6. Media and communications: ethical and informed media reporting; universal terminology

Source: WeProtect Global Alliance and UNICEF, 2022, Framing the Future: How the Model National Response framework is supporting national efforts to end online child online sexual exploitation and abuse.

According to a recent review of 42 countries,[13] the MNR has effectively guided those countries' coordinated response to child sexual exploitation and abuse online, and it has been used as a programmatic reference or for training.

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[13] WeProtect Global Alliance and UNICEF, 2022, Framing the Future: How the Model National Response framework is supporting national efforts to end online child online sexual exploitation and abuse, accessed on 28 July 2022.

A 2021 UNICEF publication[14] reviewed the implementation of the MNR through UNICEF's and partners' work in 29 middle- and low-income countries five years into the roll-out of a global programme to end child sexual exploitation and abuse online.[15]The review notes significant progress overall in terms of policies and governance structures, capacity of the justice sector, reporting and referral mechanisms, and education programmes.

Yet, this UNICEF multi-country analysis also highlights some of the gaps in the response across countries, particularly in terms of legislation and enforcement, the fragility of child protection systems, and the limited capacity of workforces and limited awareness and sense of urgency among professional cadres.

Both studies (expressing the views of WeProtect Global Alliance and UNICEF respectively) point out similar directions in terms of the future strategy to address online child online sexual exploitation and abuse, including: comprehensive, multi-sectoral responses; collaboration among government, private sector companies and across borders; strengthening of data and evidence, including on best practices. Promoting digital literacy and child participation are two additional strategic directions highlighted by UNICEF.

The recommendations from the Global Threat Report[16] also highlight the need to focus on prevention and on the following domains: a) legislation and regulations consulting all relevant stakeholders; b) law enforcement capacity, addressing low investment in police forces and the support to multi-national and specialized investigative units; c) transparency and online safety technology, implementing 'Safety By Design'[17] approaches and d) societal initiatives, addressing the root causes of abuse and stigma around reporting, and promoting the empowerment of children and adolescents.

2 The China context: progress and areas of opportunities

China is the country with the largest number of child Internet users (191 million) and a very high Internet penetration rate (96.8 per cent). The Youth League and the China Internet Network Information Center report, published every year, states that 16.6 per cent of children aged 6–17 have experienced online verbal abuse and 20.2 per cent do not know how to protect their rights.[18]

China is a member of the WeProtect Alliance. In recent years, the Government of China has taken several actions on the legislative and policy fronts regarding child online protection. In June 2021, the amendment to the Law on the Protection of Minors[19] came into effect. The amendment adds two new chapters, on statutory protection and online protection for minors, to address different risks and regulate the role of Internet providers.

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[14] UNICEF, 2021, Ending online child sexual exploitation and abuse: National responses and promising practices to address technology-facilitated sexual exploitation and abuse in low- and middle-income countries, UNICEF, New York, Ending Online Sexual Exploitation and Abuse.pdf (unicef.org), accessed on 2 August 2022.
[15] This programme was funded by the UK Government and then by the Global Partnership to End Violence against Children.
[16] WeProtect Global Alliance, 2021, Global Threat Assessment Report, Global Threat Assessment 2021 - WeProtect Global Alliance, accessed on 1 August 2022.
[17] Safety by Design means building technology by putting the user (i.e. the child in this case) at the centre, anticipating, minimizing and responding to online threats. It embeds safety as company's cultural approach. Safety by Design | eSafety Commissioner, accessed on 9 August 9, 2022.
[18] China Youth League and the China Internet Network Information Center, 2021, Research Report on Internet Use of Children in China in 2020, accessed on 9 August 2022.
[19] Law of the People's Republic of China on Protection of Minors (npc.gov.cn), accessed on 9 August 2022.

The Plan on the Development of Chinese Children (2021-2030) emphasizes a commitment to end violence against children and support the child protection workforce. It also highlights the role the digital environment plays in children's lives and the need to make it safe.

In 2021, the Law on Family Education Promotion[20] identified the role of parents and caregivers in the fostering of a nurturing and healthy environment to raise children. Digital literacy is one of the tasks in which parents should engage.

In spring 2022, the draft rules for the regulation of the protection of minors online, a revised version of the 2016 rules, which reflect the inclusion of the new chapter related to child online protection of the Law on the Protection of Minors was released. These rules are currently being reviewed.

Efforts towards coordination include the establishment of the China Federation of Internet Society's Professional Committee on Child Online Protection, which brings together social organizations, enterprises and institutions related to child online protection, to promote a safe cyberspace for children, and to protect children's rights and interests online.

The legislative, governance and policy changes reflect the Government's commitment to addressing this increasingly compelling issue, suggesting this is a ripe moment to continue strengthening preventive and response efforts.

Favouring this momentum, the country is witnessing increased awareness among the public as well as visibility of the issue.[21] There has also been increased interest from information and communications technology (ICT) companies in playing an important role, not only as providers but also as socially responsible actors. ICT companies also provide the vibrant digital infrastructure, capacity and technology that make the identification and implementation of solutions viable.

Nevertheless, there are still opportunities that call for continuing efforts. These are elements that many countries experience, such as the need for continued legislation refinement to further typify certain behaviours, like grooming.

Like in other countries, it is important to recognize the urgency of the issue. Much of the attention of the public and of institutions is placed on excessive use of the Internet and games,[22] the inappropriateness of some games and materials, with some recognition that online bullying and harassment is taking place. However, there is not much mention of child online sexual abuse and exploitation.

Data, research and evidence on the subject are still limited, especially when it comes to the most severe threats, making it difficult to highlight the urgent need to address some risks and behaviours. Research that includes children's views can shed light on a more holistic approach to well-being and child rights.

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[20] China adopts new law on family education promotion - Ministry of Education of the People's Republic of China (moe.gov.cn), accessed on 9 August 2022.

[21] Yu Wenting analysed 501 media articles on child sexual abuse and concluded media attention dramatically increased since 2015, identifying it as a socially recognized social phenomenon since 2015. In Journal of Child Sexual Abuse, 2021 Jul;30(5):524-545, News Portrayals of Child Sexual Abuse in China: Changes from 2010 to 2019 - PubMed (nih.gov), accessed on 9 August 2022.

[22] In 2021, the Government passed the Notice of Further Strict Management and Effectively Preventing Minors from Addiction to Online Games, limiting the number of hours of children's online game playing per week to three. state press and publication administration-important information-state press and publication administration issued "notice on further strict management and effectively preventing minors from addiction to online games" (nppa.gov.cn), accessed on 2 August 2022.

Finally, continuing to raise public awareness is an important piece of the puzzle. More systematic efforts need to be undertaken at scale to speak out about digital safety and the risks for children, and what can be done to navigate these risks safely.

3 Directions for the future

Starting from the MNR framework and the directions for future action globally, the authors propose the following strategic actions in China:

1) **Legislation and governance:** Although China has made significant progress in legislating child online protection, including stricter regulations for service providers, there remain opportunities to address child sexual exploitation and abuse online. This includes typifying certain behaviours like grooming, reviewing the criminal procedural code to try cases of sexual abuse, and typifying sexual abuse against boys. Terminology and definitions should be in line with globally adopted definitions.

2) **Criminal justice**: Pressing cybercrime issues such as money laundering and fraud can overshadow child sexual exploitation and abuse online,[23] so it is suggested that capacity to deal with these specific issues is strengthened, including through exchanges of techniques and promising practices in other countries.[24] Taking advantage of the vibrant digital technology developed by ICT companies for detection and investigation is an opportunity. Furthermore, it is important to raise awareness of child sexual exploitation and abuse crimes and their online dimensions among cadres of the justice sector.[25]

3) **Victim's support**: Victims of online and offline child sexual exploitation and abuse require specialised support. However, the referral and support system should not be separate from existing child protection systems and the institutions that are part of it. One stop centres often provide an effective and efficient response, bringing together services and avoiding re-victimization abuse survivors.[26] In China, relevant departments have established these centres across the provinces and this is an excellent platform for providing victims of abuse with comprehensive services. It is recommended that this model is strengthened further through standard operating procedures and training of the workforce.

   The workforce is the backbone of the child protection system. Enhancing the capacity of social workers across the SPP and the child welfare, health and education sectors to deal with child sexual exploitation and abuse online is also important.

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[23] UNICEF, 2021, Ending online child sexual exploitation and abuse: National responses and promising practices to address technology-facilitated sexual exploitation and abuse in low- and middle-income countries, UNICEF, New York, p.12., Ending Online Child Sexual Exploitation and Abuse.pdf (unicef.org), accessed on 3 August 2022.

[24] An interesting model can be found in the UK, Child Exploitation and Online Protection Command, CEOP Safety Centre, accessed on 2 August 2022.

[25] UNICEF, 2021, Ending online child sexual exploitation and abuse: National responses and promising practices to address technology-facilitated sexual exploitation and abuse in low- and middle-income countries, UNICEF, New York, p.12., Ending Online Child Sexual Exploitation and Abuse.pdf (unicef.org), accessed on 3 August 2022.

[26] Ibid.

4) **Societal initiatives**: It is important to promote more awareness of online and offline child sexual exploitation and abuse through campaigns and other educational programmes targeting children, adolescents, caregivers, teachers and the public. These efforts should be at scale and sustained, often involving partners including media and ICT companies, and campaigns should measure their impacts on knowledge and behaviours.[27] One strategy that has been adopted in several countries is the inclusion of information on online safety in existing school curricula on digital literacy[28] and other offline programmes on healthy relations, and prevention of violence and bullying. Child participation can also ensure that children can propose solutions for a safer digital environment.

Finally, the media has an important role to play in how they portray the issue by avoiding to focus on one specific case, ensuring privacy and confidentiality, and proposing solutions for action.

5) **Industry**: While the ICT industry has the responsibility to develop procedures and mechanisms to detect and take down images and materials and report them to authorities, the reporting flow needs to be a collaborative process.

One key area of opportunity for Internet companies is the development of technology-based solutions, such as artificial intelligence (AI), to detect and report sexual abuse and exploitation. However, as Witting points out,[29] technology is not a 'quick fix' solution and needs to be matched with child protection strategies and child rights perspectives, ensuring that the right to protection is balanced with the right to privacy. This translates into the need for training and awareness raising of developers on child rights and child protection, and online sexual abuse and exploitation. Furthermore, ICT companies are encouraged to ensure that technology and safety by design models keep children´s best interests at heart and that children are consulted in the process.

6) **Data and research**: Situation analyses and systematic data collection to track progress of implemented efforts are recommended actions by the MNR.[30] The current Youth League and China Internet Network Information Center report provides a very insightful data analysis and a systematic way of tracking changes and patterns in risks on a yearly basis, but it is recommended that data include risks such as grooming, sexual abuse and sexual exploitation. Global Kids Online and Disrupting Harm are two methodologies that can be considered and adapted (see box below). Finally, international exchanges in terms of research and good practices would be a strategic way forward.

It is recommended that all these domains, which are intertwined, progress to ensure a comprehensive strategy. The author recommends the acceleration of actions within the domains of societal initiatives, the

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[27] UNICEF East Asia and the Pacific and Young and Resilient Research Centre, Evaluating Online Safety Initiatives: Building the evidence base on what works to keep children safe online. UNICEF, Bangkok, 2022, Evaluating Online Safety Initiatives.pdf (unicef.org), accessed on 4 August 2022.
[28] See Cybersafe Asia initiative, Cybersafe, in the Philippines, quoted in UNICEF, 2021, Ending Online Child Sexual Exploitation and Abuse.pdf (unicef.org), accessed on 2 August 2022.
[29] Witting, S.K., 2022, "Addressing the Vulnerabilities of Children to Sale and Sexual Exploitation in the Framework of the Sustainable Development Goals", Microsoft Word - Submission Special Rapporteur OPSC Leiden University SkW.docx (ohchr.org), accessed on 3 August 2022, p.3.
[30] Ibid.

role of the industry and the role of criminal justice in parallel with the child protection system, where there are emerging opportunities and interests or needs, as illustrated above.

4 Conclusions

While data suggests that the incidence of child sexual exploitation and abuse online and the types of harms are increasing, there is also hope in the form of enhanced attention, commitment and solutions. A comprehensive multi-sectoral action framework, the National Model Response (NMR) of the WeProtect Global Alliance, is proving to be an effective tool for the development and implementation of national responses. All stakeholders, from governments to the ICT industry, civil society, caregivers and children themselves have an important role to play in equipping themselves with knowledge and working together.

China, as the country with the largest number of child Internet users, has made important efforts to raise the profile of child online protection in institutional agendas as well as in the public, and it has consolidated its legal framework to crack down on online harm. More needs to be done in terms of data and research, as well in terms of strengthening investigation and response services to address the specific challenges of child sexual abuse and exploitation online. The ICT industry is playing an increasingly important role through technology-based solutions to detect and report cases of online child online sexual exploitation and abuse, as well as through adopting regulations and being accountable. There needs to be a greater focus on ensuring the balance between child rights and child protection. Finally, more efforts on digital safety need to grow at scale and systematically.

Continued collaboration across sectors in China and the world will help prevent and respond to child sexual exploitation and abuse online.